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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 ANDRE COMBS,)
13 Petitioner,)
14 vs.)
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No. C 09-2643 LHK (PR)
ORDER SUA SPONTE
GRANTING EXTENSION OF
TIME

18 Petitioner, a California state prisoner proceeding *pro se*, filed a petition for a writ of
19 habeas corpus pursuant to 28 U.S.C. § 2254 challenging his conviction and sentence. On
20 September 20, 2010, the Court granted Respondent's motion to dismiss the petition, concluding
21 that Petitioner had not exhausted all of his claims. The Court directed Petitioner to elect one of
22 three options by October 20, 2010, or face dismissal of this action. On October 18, 2010, the
23 Order mailed to Petitioner was sent back to the Court as undeliverable because the mailing
24 address did not include Petitioner's CDC number. Accordingly, the Clerk is directed to re-send
25 the Court's September 20, 2010 order and ensure that Petitioner's CDC number is listed in the
26 mailing address.

27 The Court sua sponte grants Petitioner an additional thirty days to make his election.
28 **Within thirty days of the filing date of this Order**, Petitioner shall serve and file a notice as

1 directed in the Court's September 20, 2010 order. **If Petitioner does not serve and file his**
2 **notice indicating which of the three options he chooses within thirty (30) days of the date of**
3 **this Order, the entire action will be dismissed.**

4 IT IS SO ORDERED.

5 DATED: 11/10/2010

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7 LUCY H. KOH
8 United States District Judge
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